

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE INTELLIGENT SYSTEMS
CORPORATION STOCKHOLDER
DERIVATIVE LITIGATION

Lead Case No. 1:20-cv-00832-DG-CLP

(Consolidated with Case No. 1:20-cv-
00835-RPK-CLP)

This Document Relates To:

ALL ACTIONS

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Having evaluated certain documents produced in discovery and given due consideration to the Court's order and opinion dismissing the related securities action captioned, *Caney v. Intelligent Systems Corp., et al.*, No. 1:19-cv-03949-RPK-CLP (E.D.N.Y.), and to the lead plaintiff's decision not to seek to amend its complaint, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs George Assad and John Durgerian ("Plaintiffs") hereby notice their voluntary dismissal of this action without prejudice, with each party to bear their own costs and fees. Apart from this Notice, additional notice to stockholders is not required under Federal Rule of Civil Procedure 23.1(c) because: (i) there has been no settlement or compromise of the action; (ii) there has been no collusion among the parties; (iii) neither Plaintiffs nor their counsel have received, or will receive, directly or indirectly, any consideration from Defendants¹ for the dismissal; and (iv) the dismissal is without prejudice. Defendants concur that additional notice to stockholders is not required and do not oppose this dismissal.

Dated: October 1, 2021

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¹ "Defendants" means collectively nominal defendant Intelligent Systems Corporation and individual defendants J. Leland Strange, Matthew A. White, Philip H. Moise, A. Russell Chandler III, Karen J. Reynolds, Bonnie L. Herron, James V. Napier, Cherie M. Fuzzell, and Parker H. Petit.

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Lead Counsel for Plaintiffs

1544263

SO ORDERED.

Diane Gujarati
Diane Gujarati
United States District Court Judge

Dated: Brooklyn, New York
November 2, 2021